## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

May 13, 2025
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

FILED

BY:	NM
	DEPUTY

AARON MALDONADO et al.,

Plaintiffs,

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v.

MAMMOTH ENERGY SERVICES, INC. et al.,

Defendants.

CIVIL NO. SA-21-CV-85-OLG

## SHOW CAUSE ORDER

Pending before the Court is Defendants' Motion to Dismiss Plaintiff Jimmie Moore, Jr. (the "Motion to Dismiss") (Dkt. No. 38), filed on July 3, 2024, wherein Defendants represent that Plaintiff Jimmie Moore, Jr. ("Moore") did not appear at his properly noticed deposition. *See* Dkt. No. 38 at 2. Likewise, Defendants represent that their other discovery requests have gone unanswered by Moore. *Id.* According to Defendants, Moore's counsel acknowledges that "he has been unable to communicate with Moore to answer the discovery or to produce . . . Moore for deposition." *Id.* To date, Moore has not filed a response to the Motion the Dismiss.

IT IS THEREFORE ORDERED that, by Monday, May 19, 2025, Moore shall show cause why his claims should not be dismissed for failing to appear for his deposition. *See* FED. R. CIV. P. 37(d)(1)(A)(i), (d)(3); *see also* W.D. TEX. LOC. R. CV-7(d)(2) ("If there is no response filed within the time period prescribed by this rule, the court may grant the motion as unopposed."). Failure to comply with this Order will result in the dismissal of Moore's claims. *See* FED. R. CIV. P. 41(b)

IT IS SO ORDERED.

**SIGNED** this 13th day of May, 2025.

ORLANDO L. GARCIA United States District Judge